

# HOUSE . . . . . No. 2801

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By Mr. Murphy of Lowell, petition of Kevin J. Murphy and others relative to the reporting of child abuse cases by certain municipal inspectors. Children and Families.

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## The Commonwealth of Massachusetts

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### PETITION OF:

Kevin J. Murphy  
David M. Nangle

Thomas A. Golden, Jr.  
Steven C. Panagiotakos

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In the Year Two Thousand and Five.

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AN ACT REQUIRING CERTAIN MUNICIPAL INSPECTORS TO REPORT CERTAIN CASES OF CHILD ABUSE.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1     The first paragraph of section 51A of chapter 119 of the  
2     General Laws, as amended by chapter 197 of the acts of 1997, is  
3     hereby further amended by striking out the first sentence and  
4     inserting in place thereof the following sentence:— Any physi-  
5     cian, medical intern, hospital personnel engaged in the examina-  
6     tion, care or treatment of persons, medical examiner, psychologist,  
7     emergency medical technician, dentist, nurse, chiropractor, podia-  
8     trist, optometrist, osteopath, public or private school teacher, edu-  
9     cational administrator, guidance or family counselor, day care  
10    worker or any person paid to care for or work with a child in any  
11    public or private facility, or home or program funded by the com-  
12    monwealth or licensed pursuant to the provisions of chapter 28A,  
13    which provides day care or residential services to children or  
14    which provides the services of child care resource and referral  
15    agencies, voucher management agencies, family day care systems  
16    and childcare food programs, probation officer, clerk/magistrate  
17    of the district courts, parole officer, social worker, foster parent,

18 firefighter or policeman, building inspector, board of health  
19 inspector, lead paint inspector, office for children licenser, school  
20 attendance officer, allied mental health and human services pro-  
21 fessional as licensed pursuant to the provisions of section 165 of  
22 chapter 112, drug and alcoholism counselor, psychiatrist, and clin-  
23 ical social worker, who, in his professional capacity shall have  
24 reasonable cause to believe that a child under the age of 18 years  
25 is suffering physical or emotional injury resulting from abuse  
26 inflicted upon him which causes harm or substantial risk of harm  
27 to the child's health or welfare including sexual abuse, or from  
28 neglect, including malnutrition, or who is determined to be physi-  
29 cally dependent upon an addictive drug at birth, shall immediately  
30 report such condition to the department by oral communication  
31 and by making a written report within 48 hours after such oral  
32 communication; provided, however, that whenever such person so  
33 required to report is a member of the staff of a medical or other  
34 public or private institution, school or facility, he shall immedi-  
35 ately either notify the department or notify the person in charge of  
36 such institution, school or facility, or that person's designated  
37 agent, whereupon such person in charge or his said agent shall  
38 then become responsible to make the report in the manner  
39 required by this section.